

**WSR 07-08-008****PREPROPOSAL STATEMENT OF INQUIRY  
GAMBLING COMMISSION**

[Filed March 22, 2007, 10:12 a.m.]

Subject of Possible Rule Making: Bingo games.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 9.46.070.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: We have received a petition for rule change from a bingo operator. The petitioner is requesting that bingo operators no longer be required to keep the names and addresses of people who win \$20 or less.

Process for Developing New Rule: Interested parties can participate in the discussion of this proposed change by attending a commission meeting, or contacting the agency rules coordinator at the contact information below.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Rick Day, Deputy Director, P.O. Box 42400, Olympia, WA 98504-2400, (360) 486-3446; Sharon Reese, Deputy Director, P.O. Box 42400, Olympia, WA 98504-2400, (360) 486-3452; or Susan Arland, Rules Coordinator, P.O. Box 42400, Olympia, WA 98504-2400, (360) 486-3466, e-mail [Susana@wsge.wa.gov](mailto:Susana@wsge.wa.gov).

[Meetings on] May 11, 2007, at The Heathman Lodge, 7801 N.E. Greenwood Drive, Vancouver, WA 98662, (360) 254-3100; on July 13, 2007, at the La Quinta Inn & Suites, 1425 East 27th Street, Tacoma, WA 98421, (253) 383-0146; and on August 10, 2007, at the Hilton, 301 West 6th Street, Vancouver, WA 98660, (360) 993-4500.

March 22, 2007  
Susan Arland  
Rules Coordinator

**WSR 07-08-022****PREPROPOSAL STATEMENT OF INQUIRY  
DEPARTMENT OF  
FISH AND WILDLIFE**

[Filed March 27, 2007, 11:52 a.m.]

Subject of Possible Rule Making: Changing the requirement for special trapping-permit applications to allow such applications only by landowners.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 77.12.047.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The current rule on this subject, WAC 232-12-141, allows any person to apply for a permit to trap animals for damage-control purposes. The department wants to change this so that only landowners can apply for these permits. This will prohibit applications by persons who cannot show proof of depredation or property damage.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before pub-

lication by contacting Sean Carrell, WDFW Enforcement, 600 Capitol Way North, Olympia, WA 98501-1091, phone (360) 902-2926, fax (360) 902-2155, e-mail [carresoc@dfw.wa.gov](mailto:carresoc@dfw.wa.gov). Contact by June 15, 2007. Expected proposal filing on or after June 20, 2007.

March 27, 2007  
Lori Preuss  
Rules Coordinator

**WSR 07-08-025****PREPROPOSAL STATEMENT OF INQUIRY  
DEPARTMENT OF  
SOCIAL AND HEALTH SERVICES**

(Aging and Disability Services Administration)

[Filed March 27, 2007, 12:12 p.m.]

Subject of Possible Rule Making: WAC 388-825-534  
What are the annual federal poverty levels?

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 71A.12.030, 71A.12.040, section 205 (1)(e), chapter 518, Laws of 2005.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The purpose of this amendment is to increase the federal poverty level effective April 1, 2007, to conform to the federal poverty level issued by the federal Office of Management and Budget.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: The department welcomes the public to participate in the development of these rules. At a later date, the department will publish proposed rules for public comment, and a public hearing will be held before the rules are adopted as permanent.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Steve Brink, Program Manager, Division of Developmental Disabilities, P.O. Box 45310, Olympia, WA 98504-5310, phone (360) 725-3416, fax (360) 407-0955, e-mail [brinksc@dshs.wa.gov](mailto:brinksc@dshs.wa.gov).

March 27, 2007  
Jim Schnellman, Chief  
Office of Administrative Resources

**WSR 07-08-032****PREPROPOSAL STATEMENT OF INQUIRY  
DEPARTMENT OF LICENSING**

[Filed March 27, 2007, 3:15 p.m.]

Subject of Possible Rule Making: WAC 308-124A-130.  
Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.85.040(1), 18.85.140, 18.85.155, 18.85-230(22), 18.85.320.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Clarify and establish proce-

dures on notification to the real estate broker and real estate salesperson when services are terminated.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Jerry McDonald, P.O. Box 2445, Olympia, WA 98507, phone (360) 664-6524, fax (360) 570-7051, e-mail [jmcdonald@dol.wa.gov](mailto:jmcdonald@dol.wa.gov).

March 27, 2007

Jerry McDonald

Assistant Administrator

### WSR 07-08-038

#### PREPROPOSAL STATEMENT OF INQUIRY GAMBLING COMMISSION

[Filed March 28, 2007, 8:43 a.m.]

Subject of Possible Rule Making: Pull-tab games.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 9.46.070.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: We have received a petition for rule change from a bingo operator. The petitioner is requesting increasing carry-over pull-tab jackpots to \$5,000 and ticket count to 10,000.

Process for Developing New Rule: Interested parties can participate in the discussion of this proposed change by attending a commission meeting, or contacting the agency rules coordinator at the contact information below.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Rick Day, Deputy Director, P.O. Box 42400, Olympia, WA 98504-2400, (360) 486-3446; Sharon Reese, Deputy Director, P.O. Box 42400, Olympia, WA 98504-2400, (360) 486-3452; or Susan Arland, Rules Coordinator, P.O. Box 42400, Olympia, WA 98504-2400, (360) 486-3466, e-mail [Susana@wsgc.wa.gov](mailto:Susana@wsgc.wa.gov).

[Meetings on] May 11, 2007, at The Heathman Lodge, 7801 N.E. Greenwood Drive, Vancouver, WA 98662, (360) 254-3100; and on July 13, 2007, at the La Quinta Inn & Suites, 1425 East 27th Street, Tacoma, WA 98421, (253) 383-0146.

March 26, 2007

Susan Arland

Rules Coordinator

### WSR 07-08-039

#### PREPROPOSAL STATEMENT OF INQUIRY GAMBLING COMMISSION

[Filed March 28, 2007, 8:43 a.m.]

Subject of Possible Rule Making: Pull-tab games.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 9.46.070.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: We have received a petition for rule change from a bingo operator. The petitioner is requesting increasing pull-tab payouts from \$650 to \$2,500 and tab count from 10,000 to 25,000.

Process for Developing New Rule: Interested parties can participate in the discussion of this proposed change by attending a commission meeting, or contacting the agency rules coordinator at the contact information below.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Rick Day, Deputy Director, P.O. Box 42400, Olympia, WA 98504-2400, (360) 486-3446; Sharon Reese, Deputy Director, P.O. Box 42400, Olympia, WA 98504-2400, (360) 486-3452; or Susan Arland, Rules Coordinator, P.O. Box 42400, Olympia, WA 98504-2400, (360) 486-3466, e-mail [Susana@wsgc.wa.gov](mailto:Susana@wsgc.wa.gov).

[Meetings on] May 11, 2007, at The Heathman Lodge, 7801 N.E. Greenwood Drive, Vancouver, WA 98662, (360) 254-3100; and on July 13, 2007, at the La Quinta Inn & Suites, 1425 East 27th Street, Tacoma, WA 98421, (253) 383-0146.

March 26, 2007

Susan Arland

Rules Coordinator

### WSR 07-08-051

#### PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF HEALTH

[Filed March 29, 2007, 8:16 a.m.]

Subject of Possible Rule Making: Revising chapter 246-491 WAC, Vital statistics—Certificates, this rule creates procedures for approving death certificates that are signed and filed including those filed using the electronic death registration system (EDRS) currently being deployed.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 43.70.150 and chapter 70.58 RCW are the applicable statutes.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: A death certificate requires three signatures before it can be filed: The funeral director, physician or medical examiner/coroner, and the deputy registrar. Clarifying procedures in rule that encourage faster, electronic filing benefit families, physicians and funeral directors.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: Collaborative rule making with interested parties to address need around electronic filing of death records.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Philip Freeman, Manager Statistical Services, Center for Health Statistics, Department of Health,

P.O. Box 47814, Olympia, 98504-7814, e-mail philip.free-  
man@doh.wa.gov, phone (360) 236-4330.

March 28, 2007  
Mary C. Selecky  
Secretary

**WSR 07-08-053**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF**  
**FINANCIAL INSTITUTIONS**  
(Securities Division)

[Filed March 29, 2007, 9:16 a.m.]

**Subject of Possible Rule Making:** The securities division solicits comments on the possible amendment of its rules to regulate the use of professional designations by broker-dealers, investment advisers, and their representatives relating to senior citizens. The securities division particularly seeks comments concerning the means by which it may effectively regulate the use of professional senior designations by those dealing with the needs of senior investors.

**Statutes Authorizing the Agency to Adopt Rules on this Subject:** RCW 21.20.450.

**Reasons Why Rules on this Subject may be Needed and What They Might Accomplish:** The division notes the growth in the use of professional designations which state or imply that a person has special expertise, certification, or training in advising or servicing senior citizens. Use of such professional designations in connection with the offer or sale of securities or the rendering of investment advice by broker-dealers, investment advisers and their representatives who do not possess special expertise, certification or training may result in the deception of investors.

**Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies:** Broker-dealers, investment advisers and their representatives are subject to regulation by the Securities and Exchange Commission under federal law. Broker-dealers and their representatives are also subject to regulation by the NASD, a self-regulatory organization authorized under federal law. Neither the SEC nor the NASD, however, directly regulate the use of senior designations.

**Process for Developing New Rule:** In addition to soliciting comments from interested persons, the division will review laws from other states. If available, the division will also review any model rule developed by the North American Securities Administrators Association.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Faith L. Anderson, Department of Financial Institutions, Securities Division, P.O. Box 9033, Olympia, WA 98507-9033, phone (360) 725-7825, fax (360) 704-6480, e-mail fanderson@dfi.wa.gov.

March 28, 2007  
Michael E. Stevenson  
Director of Securities

**WSR 07-08-062**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF**  
**FISH AND WILDLIFE**  
[Filed March 29, 2007, 11:32 a.m.]

**Subject of Possible Rule Making:** Commercial bottom fish rules.

**Statutes Authorizing the Agency to Adopt Rules on this Subject:** RCW 77.12.047.

**Reasons Why Rules on this Subject may be Needed and What They Might Accomplish:** Provide updated rules to match changes in ocean fishing regulations and to provide compatibility with federal regulatory requirements.

**Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies:** The rule changes that are required to meet federal requirements have been developed through state involvement in and coordination with the Pacific Fisheries Management Council, which includes input from the affected constituents.

**Process for Developing New Rule:** Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Lew Atkins, Fish Program Assistant Director, 600 Capitol Way North, Olympia, WA 98501-1091, phone (360) 902-2651. Contact by June 18, 2007. Expected proposal filing on or after June 20, 2007.

March 29, 2007  
Lori Preuss  
Rules Coordinator

**WSR 07-08-071**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**BOARD OF PILOTAGE COMMISSIONERS**  
[Filed March 30, 2007, 10:49 a.m.]

**Subject of Possible Rule Making:** WAC 363-116-082 Limitations on new pilots.

**Statutes Authorizing the Agency to Adopt Rules on this Subject:** Chapter 88.16 RCW, Pilotage Act.

**Reasons Why Rules on this Subject may be Needed and What They Might Accomplish:** Modifications to this rule are necessary to provide clarity to terminology and other language in general.

Tonnage categories will be reviewed for appropriateness and adjusted if necessary.

**Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies:** None.

**Process for Developing New Rule:** The trainee evaluation committee of the board has proposed certain amendments to this rule and will be discussing it further in committee and at regular session board meetings. Stakeholder comments are welcome. Upon further review and consideration of recommended revisions, a public hearing will be scheduled to consider the proposed new rule pursuant to formal notice requirements.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before pub-

lication by contacting Peggy Larson, Administrator, Board of Pilotage Commissioners, 2901 Third Avenue, Suite 500, Seattle, WA 98121, phone (206) 515-3904, fax (206) 515-3906, LarsonP@wsdot.wa.gov, www.pilotage.wa.gov.

March 29, 2007

Peggy Larson  
Administrator

**WSR 07-08-072**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**BOARD OF**  
**PILOTAGE COMMISSIONERS**

[Filed March 30, 2007, 10:50 a.m.]

Subject of Possible Rule Making: WAC 363-116-070  
Collection of fees.

Statutes Authorizing the Agency to Adopt Rules on this  
Subject: RCW 88.16.090.

Reasons Why Rules on this Subject may be Needed and  
What They Might Accomplish: An increase in the pilot  
license fee is being sought in order to generate sufficient  
operating revenue for the board during the 2007-2009 bien-  
nium.

This increase could also apply to the reduced fee for  
inactive pilots.

Other Federal and State Agencies that Regulate this Sub-  
ject and the Process Coordinating the Rule with These Agen-  
cies: None.

Process for Developing New Rule: The board will be  
considering amendments to this rule and will be discussing it  
in regular session board meetings. Stakeholder comments are  
welcome. Upon further review and consideration of recom-  
mended revisions, a public hearing will be scheduled to con-  
sider the proposed new rule pursuant to formal notice  
requirements.

Interested parties can participate in the decision to adopt  
the new rule and formulation of the proposed rule before pub-  
lication by contacting Peggy Larson, Administrator, Board of  
Pilotage Commissioners, 2901 Third Avenue, Suite 500,  
Seattle, WA 98121, phone (206) 515-3904, fax (206) 515-  
3906, LarsonP@wsdot.wa.gov, www.pilotage.wa.gov.

March 29, 2007

Peggy Larson  
Administrator

**WSR 07-08-077**  
**WITHDRAWAL OF**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
(Management Services Administration)

[Filed March 30, 2007, 4:58 p.m.]

The management services background check central unit  
requests the withdrawal of the preproposal statement of

inquiry filed as WSR 07-05-006 on February 8, 2007 (chapter  
388-06 WAC).

Jim Schnellman, Chief  
Office of Administrative Resources

**WSR 07-08-080**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**SUPERINTENDENT OF**  
**PUBLIC INSTRUCTION**

[Filed April 2, 2007, 12:57 p.m.]

Subject of Possible Rule Making: Chapter 392-141  
WAC, Transportation—State allocation for operations.

Statutes Authorizing the Agency to Adopt Rules on this  
Subject: RCW 28A.150.290.

Reasons Why Rules on this Subject may be Needed and  
What They Might Accomplish: The combined transportation  
route needs to be revised to change the number of basic stu-  
dents allowed on a combined transportation route.

Process for Developing New Rule: Other [no further  
information supplied by agency.]

Interested parties can participate in the decision to adopt  
the new rule and formulation of the proposed rule before pub-  
lication by contacting Allan J. Jones, Director, Pupil Trans-  
portation and Traffic Safety Education, Office of Superinten-  
dent of Public Instruction, P.O. Box 47200, Olympia, WA  
98504-7200, (360) 725-6120, fax (360) 586-6124, e-mail  
allan.jones@k12.wa.us.

April 2, 2007

Dr. Terry Bergeson  
Superintendent of  
Public Instruction

**WSR 07-08-083**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**SUPERINTENDENT OF**  
**PUBLIC INSTRUCTION**

[Filed April 2, 2007, 1:53 p.m.]

Subject of Possible Rule Making: Chapter 392-151  
WAC, School safety patrol.

Statutes Authorizing the Agency to Adopt Rules on this  
Subject: RCW 46.61.385.

Reasons Why Rules on this Subject may be Needed and  
What They Might Accomplish: To update out of date regula-  
tions. This WAC should not include material referencing  
school zone signage and the regulation regarding walking  
routes needs better clarification.

Process for Developing New Rule: Other [no further  
information supplied by agency.]

Interested parties can participate in the decision to adopt  
the new rule and formulation of the proposed rule before pub-  
lication by contacting Allan J. Jones, Director, Pupil Trans-  
portation and Traffic Safety Education, Office of Superinten-  
dent of Public Instruction, P.O. Box 47200, Olympia, WA

98504-7200, (360) 725-6120, fax (360) 586-6124, e-mail allan.jones@k12.wa.us.

April 2, 2007  
Dr. Terry Bergeson  
Superintendent of  
Public Instruction

**WSR 07-08-094**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
(Health and Recovery Services Administration)  
[Filed April 3, 2007, 12:38 p.m.]

Subject of Possible Rule Making: WAC 388-406-0010  
How do I apply for benefits?

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.04.050, 74.04.057, and 74.08.090.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department plans to amend this rule to clarify the signature requirements on applications for medical assistance for children and pregnant women.

Process for Developing New Rule: The department invites the interested public to review and provide input on the draft language of this rule. Draft material and information about how to participate may be obtained from the department representative listed below. At a later date, DSHS will file a proposal with the office of the code reviser with a notice of proposed rule making. A copy of the proposal will be sent to everyone on the mailing list and to anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Mary Beth Ingram, Program Manager, P.O. Box 45534, Olympia, WA 98504-5534, phone (360) 725-1327, fax (360) 664-0910, TTY 1-800-848-5429, e-mail [ingramb@dshs.wa.gov](mailto:ingramb@dshs.wa.gov).

April 2, 2007  
Jim Schnellman, Chief  
Office of Administrative Resources

**WSR 07-08-101**  
**WITHDRAWAL OF**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF ECOLOGY**  
[Filed April 3, 2007, 4:22 p.m.]

The department of ecology withdraws WSR 06-09-093 (filed April 19, 2006), Quincy ground water subarea management policy rule, proposed amendment to chapter 173-134A WAC.

Since the original CR-101 was filed in April 2006, the agency has held three local workshops and collected additional information from stakeholders and the petitioner. The information collected provides ecology with a better under-

standing for the direction of the proposed rule amendment. Ecology is filing a new CR-101 that would update the intent and provide a better description of the proposed rule amendment.

**WSR 07-08-102**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF ECOLOGY**  
[Order 07-08—Filed April 3, 2007, 4:23 p.m.]

Subject of Possible Rule Making: This proposed rule making would amend one section of chapter 173-134A WAC. A formal petition for amendment rule making was received by ecology on January 3, 2006, and amended in a letter dated January 11, 2006. Ecology has agreed to initiate rule making. The focus of the amendments pertain to language within WAC 173-134A-080. The proposed amendments would change the following:

- Allow extensions of the permit development schedule on a case-by-case basis if the permit holder can show good cause for extending the development schedule.
- Additional amendments to chapter 173-134A WAC may be identified during a public scoping process on the rule.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 43.21A.064(9), 43.21A.080, 90.54.040(2), and 90.44.130.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The purpose of chapter 173-134A WAC is to set forth rules for ecology to administer, regulate, and manage all ground waters within the Quincy Basin (QB) ground water subarea, including commingled public ground waters and artificially stored ground waters. The department of ecology works in cooperation with the affected entities including the Bureau of Reclamation to implement protection to the public interest and private rights.

The current rule language limits the development schedule to three years. Nonagricultural entities including the business community, developers, and municipalities generally require greater flexibility in their development schedules, depending on the scale of the project. During three 2006 public workshops on the topic, the agricultural community expressed that the case-by-case flexibility of development schedules and extensions should apply to all permits.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The United States Bureau of Reclamation (bureau) is identified as the water right holder and owner of the artificially stored ground water. Ecology plans to coordinate the rule-making process with the bureau. Ecology has and will continue to request the bureau's response to draft rule language and its participation in the rule-making activities.

Process for Developing New Rule: Ecology held three public workshops in 2006 and will hold at least one additional workshop in spring 2007. Ecology will also hold hearings to provide information to interested parties and to receive comments on the scope of the rule making. Ecology will solicit informal comments and feedback from stakehold-

ers on draft language through mailings, media notification, and information posted on the agency web site.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Interested parties can participate in the decision to adopt amendments and provide comments to initial drafts by contacting Janet Rajala, either by phone (509) 329-3421, by e-mail at [jaca461@ecy.wa.gov](mailto:jaca461@ecy.wa.gov), or by mail at Janet Rajala, Eastern Regional Office, Department of Ecology, North Monroe Street, Spokane, WA 99205-1295. They may also participate in workshops and public hearings and provide comments to the mailings and internet postings of the proposed amendments.

March 29, 2007  
Ken Slattery  
Program Manager

### WSR 07-08-103

#### PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF HEALTH

(Medical Quality Assurance Commission)

[Filed April 4, 2007, 8:49 a.m.]

Subject of Possible Rule Making: Chapter 246-919 WAC, Physicians and chapter 246-918 WAC, Physician assistants. The medical commission will consider writing rules to ensure that physicians and physician assistants appropriately delegate and supervise the performance of nonsurgical cosmetic procedures that fall within the practice of medicine because they sever or penetrate the skin, or involve administration of drugs or medicinal preparations.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.71.017, 18.71A.020, and 18.130.050(12).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The commission is concerned that physicians and physician assistants may be inappropriately delegating the performance of nonsurgical cosmetic procedures that may sever or penetrate the skin or involve the administration of drugs or medicinal preparations to persons who are unlicensed or who have a license with a limited scope of practice. These procedures include injections, chemical peels, microdermabrasion, dermabrasion, sclerotherapy, soft-tissue fillers, and mesotherapy. These procedures carry a significant risk, especially when performed by unlicensed, untrained or unsupervised individuals. Rules are needed to ensure appropriate delegation and supervision.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Board of osteopathic medicine and surgery, nursing quality assurance commission, dental quality assurance commission, board of pharmacy, and department of licensing cosmetology board. Staff has been gathering preliminary background information from other professional boards and commissions and requesting participation in the development of any rules if needed and sharing draft rules to their licensees.

Process for Developing New Rule: Collaborative.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Beverly A. Thomas, Program Manager, P.O. Box 47866, Olympia, WA 98504-7866, phone (360) 236-4788, fax (360) 236-4768 or by e-mail to [beverly.thomas@doh.wa.gov](mailto:beverly.thomas@doh.wa.gov). In order for the commission to allow interested persons to provide input on proposed language, there will be public workshops in two areas of the state. The commission will notify via the listserv all those individuals and organizations that have expressed an interest in the commission's rules. Stakeholders may also submit written comments for consideration.

April 2, 2007  
Blake T. Maresh  
Executive Director

### WSR 07-08-105

#### PREPROPOSAL STATEMENT OF INQUIRY OFFICE OF INSURANCE COMMISSIONER

[Insurance Commissioner Matter No. R 2007-01—Filed April 4, 2007, 8:49 a.m.]

Subject of Possible Rule Making: The insurance commissioner intends to adopt unfair practice rules prohibiting certain acts or practices in the sale of life insurance (including annuities) to Armed Forces personnel and their dependents on military installations in this state, including a requirement that selling agents must determine the appropriateness of any sale of insurance.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 48.30.010.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The 109th congress enacted the Military Personnel Financial Services Protection Act (P.L. 109-290) "to protect members of the Armed Forces from unscrupulous practices regarding the sale of insurance, financial and investment products." The act requires states to adopt a model regulation jointly developed by the Department of Defense and the National Association of Insurance Commissioners not later than September 29, 2007. The act extends state laws or rules with respect to regulating the business of insurance or securities to military installations, except to the extent that such laws or rules directly conflict with applicable federal laws or rules. The rules will define unfair sales practices involving military personnel that are considered false, misleading, or deceptive.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Department of Defense (federal) and the National Association of Insurance Commissioners are required by the act to develop a model regulation setting forth unfair and prohibited sales practices, and that model is to be adopted by states in a "uniform manner" to protect members of the armed forces and their dependents from dishonest and predatory insurance sales practices on a military installation. The rules will include a requirement that selling agents must determine the

appropriateness of any sale of insurance to a member of the Armed Forces or his or her dependent.

Process for Developing New Rule: The rules adopted will follow the model regulation created jointly by the Department of Defense and the National Association of Insurance Commissioners, as prescribed by P.L. 109-290. Development of the model regulation has been subject to intense national debate. The deliberations have included representatives of the federal government, states, consumer and insurance company representatives, and other interested parties.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Kacy Scott, P.O. Box 40255, Olympia, WA 98504-0255, e-mail [Kacys@oic.wa.gov](mailto:Kacys@oic.wa.gov), fax (360) 586-3109, by May 14, 2007.

April 4, 2007  
Mike Kreidler  
Insurance Commissioner

### **WSR 07-08-111**

#### **PREPROPOSAL STATEMENT OF INQUIRY WHATCOM COMMUNITY COLLEGE**

[Filed April 4, 2007, 11:14 a.m.]

Subject of Possible Rule Making: Amending WAC 132U-120-270 to add dismissal from a selective admissions program as a result of academic evaluations.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28B.50.130 and 28B.50.140.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Clarification is needed concerning rules for dismissing students from programs that require selective admission, such as professional and technical programs. Procedure is different from other academic programs.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Bets Nelson, Whatcom Community College, Rules Coordinator, 237 West Kellogg Road, Bellingham, WA 98226, (360) 676-2170 ext. 3275, e-mail [bnelson@whatcom.ctc.edu](mailto:bnelson@whatcom.ctc.edu).

April 4, 2007  
Patricia Onion  
Vice-President for  
Educational Services